

WHEREAS, The Health Resources Planning Commission must have the authority to collect the information necessary to develop a viable State health plan and enforce its decisions consistent with the health plan; and

WHEREAS,---An---important---element---of---an---effective---health planning---process---is---a---certificate---of---need---program---which---equitably and---rationally---allocates---health---care---resources---to---meet---the---needs of---Maryland---citizens;---and

WHEREAS,---The---rapid---and---significant---changes---now---occurring---in our---health---care---system---have---rendered---the---criteria---upon---which certificate---of---need---decisions---are---based---out---of---date;---and demonstrate---the---need---to---have---ongoing---authority---to---suspend---review of---specified---classes---of---projects---for---specified---periods---of---time---in order---to---preserve---the---Health---Resources---Planning---Commission's ability---to---equitably---and---rationally---allocate---health---care resources;---and

WHEREAS,---Even---a---temporary---limited---suspension---of---a certificate---of---need---decision---has---potential---implications---for Maryland's---health---industry---and---the---delivery---of---health---services for---our---citizens;---and

WHEREAS,---The---decision---to---impose---a---temporary---suspension---of certificate---of---need---reviews---should---rest---with---the---Governor---on---the recommendation---of---either---the---Health---Resources---Planning---Commission or---the---Health---Services---Cost---Review---Commission; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

19-107.

(d) (1) In addition to information that an applicant for a certificate of need must provide, the Commission may request, collect, and report any statistical or other information that:

[(1)] (I) Is needed by the Commission to perform its duties described in Part I of this subtitle;

[(2)] (II) Is described in rules and regulations of the Commission.

(2) IF A HEALTH CARE FACILITY FAILS TO PROVIDE INFORMATION AS REQUIRED IN THIS SUBSECTION, THE COMMISSION MAY:

(I) IMPOSE A PENALTY OF NOT MORE THAN \$5,000 \$100 PER DAY FOR EACH DAY THE VIOLATION CONTINUES AFTER CONSIDERATION OF THE WILLFULNESS AND SERIOUSNESS OF THE WITHHOLDING AS WELL AS ANY PAST HISTORY OF WITHHOLDING OF INFORMATION;